

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4202 of 1987

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

GEETABEN P PATEL

Versus

COMMISSIONER OF PROVIDENT FUND

Appearance:

MR KS ACHARYA for Petitioner

MR DP JOSHI, AGP for Respondent No. 1

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 02/05/98

ORAL JUDGEMENT

The petitioner before this Court is the widow of one Paragbhai Patel who was serving in M/s. Rolcon Engineering, at Vallabh Vidyanagar and passed away on 2.11.1985. It is the grievance of the petitioner that inspite of the death of her husband as far back as on 2.11.1985, the respondent authority has failed to pay the

amount of Contributory Provident Fund lying to the credit of said late Paragbhai and has failed to fix the Family Pension due and admissible to the petitioner. Mr. Acharya, the learned Advocate appearing for the petitioner has informed that pending this petition, the petitioner has been paid the amount of Contributory Provident Fund as well as the Family Pension. Thus, the grievance of the petitioner has been substantially redressed and the matter does not survive. He has, however, submitted that the Family Pension due and payable to the petitioner has not been correctly calculated by the respondent authority. If that be so, the petitioner may make an application to the respondent authority and if such an application is made, the respondent authority shall consider and decide the same within a period of four weeks from the date of receipt of the same. The decision thereof shall be communicated to the petitioner as soon as possible. Subject to the aforesaid observations, the petition is dismissed. Rule is discharged. There shall be no order as to costs.

sreeram.